

BRIMFIELD TOWNSHIP BOARD OF TRUSTEES
Wednesday December 8, 2004
BRIMFIELD TOWN HALL

The Brimfield Township Board of Trustees met on Wednesday December 8, 2004. All members were present. Trustee Mike Kostensky called the meeting to order at 3:00 PM.

Call to Order
Pledge of Allegiance

Announcements/Correspondence:

Guests: Acting City Manager of Kent, Bill Lillich
Economic Development Coordinator, Mike Weddle

1. Possible Executive Session – JEDD Contract

Review and signing of minutes of previous meeting
Review and accepting agenda
Review and signing of purchase orders and warrants
Accept financial statement

1. Fund Balances, Fund Summary, Appropriation Ledger

Public Comments and Questions:

Safety Concerns:

Police Department:

1. Sign License Application*

Fire Department:

Road Department/Cemetery

1. Sign Cemetery Deeds**
2. Arcadia Drainage**
3. Salt Shed**
4. CBG Grant – Drainage Beachcrest**
5. Snow Parking Ban**
6. Truck Repair – Trade**

Zoning/Economic Development

Parks:

1. Award Bid for Removing Building*
2. Summer Program**
3. Move Monument**
 - a. Landscaping Town Square Park
4. Tree Removal**

Administration:

1. ½ Year Review All Dept. Heads**
2. For the Good of Brimfield Township**
3. Street Light Assessment*
5. Transfer of Funds**
6. Executive Session**
 - a. Personnel – reorganization
6. Resolution for Advance of JEDD Tax Payment Collected*
7. Sign JEDD Agreement # 1*

MOTION #2004-490

Trustee C. Dan Tronge moved to accept the agenda for this meeting as amended.
Mike Kostensky seconded. Motion passed.

Guests: Acting City Manager of Kent, Bill Lillich

Economic Development coordinator, Mike Weddle

City of Kent, Mayor, John Fender

City of Kent, Department of Human Resources, Kevin Pratt

The above City Officials spoke at length giving an up-date of the JEDD agreements signed between Brimfield Township and the City of Kent. They asked the Brimfield Township Board of Trustees for assistance in getting signers for the petitions to join the JEDD.

RESOLUTION #2004-491

Re: Signing Warrants and Purchase Orders

WHEREAS: The Clerk did present warrants and purchase orders to the Board of Trustees for payment of bills and,

WHEREAS: The Board of Trustees did review same; therefore be it,

RESOLVED: That the Board will acknowledge receipt of and sign the warrants and purchase orders as presented by the Clerk.

Trustee C. Dan Tronge moved for the adoption of the above resolution on the 27th day of October 2004. Mike Kostensky seconded and upon roll call vote:

Mike Kostensky – yea

C. Dan Tronge – yea

Sue Fields – yea

Motion passed.

MOTION #2004-492

Trustee C. Dan Tronge moved to acknowledge receipt of the abbreviated financial statement (Fund Balances, Fund Summary and Appropriation Ledger). Mike Kostensky seconded. Motion passed.

Public Comments and Questions:

David and Erma King, 4107 Lynnwood Rd. wanted to thank the Road Department for cleaning the ditches on the one side of their road. Some continued concern for the Pipe on Tallmadge Road. Determined to be the County's responsibility.

Skip and Rob Johnson, 1517 Revere Rd., Boy Scout Troup 259, Observing Government at work.

Bob Buell, 3461 Mogadore Rd., Drainage behind Recycle Plant restricts the flow of water at Daily Monument and Mogadore Rd. by Rail Road tracks. Also expressed some concern about rut at Newton St and Old Forge Road, 2 ft wide by 2 ft deep.

Jo Ann Beebe Just Cricket Condos expressed some concern about the uneven RR tracks on Rt. 18, Tallmadge Rd.

Debbie Darlas, Old Forge Rd., Expressed thanks to the Fire Department for their help and assistance in making the Christmas Tree lighting a success.

Safety Concerns:

Trustee Mike Kostensky expressed a concern about the drainage on Sherman Road and Lynn Road. The Clerk and Road Department will advise.

Police Department:

No Action.

Fire Department:

Road Dept/Cemetery:

RD 1 Sign Cemetery Deeds – None – No action taken

RD 2 Arcadia Drainage – No action taken

RD 3 Salt Shed – Trustee's to look at possibilities of different types of salt sheds

RD 4 CDBG Grant – Drainage Beachcrest – to get copy of Plat map for more information

RD5 Snow Parking Ban No Action will remain on agenda.

RD6 Truck Repair – Trade – Clerk to investigate possible solutions.

Zoning/Economic Development**Parks Dept:**

MOTION #2004-493 PK1. Award Bid for Removing Building

Mike Kostensky moved to accept the James Lawson bid of \$500.00 to remove the garage at Brimfield Town Square Park. Seconded by C. Dan Tronge and passed unanimously.

PK 2. Summer Program – No Action

PK 3. Move Monument

a. Landscaping Town Square Park – No Action

PK 4. Tree Removal – No action, will remain on agenda

Administration:

A1 - ½ Year Review All Dept. Heads – No action taken

A2 - For the Good of Brimfield Township – No Action taken

MOTION #2004-494 A3

Re: Street Light Assessment for King's Ridge Phase III & IV

WHEREAS: The Brimfield Township Board of Trustees held a public hearing on a petition praying that this Board take all proper proceedings to light, artificially, the road in an unincorporated district in this township, following notice and actual view taken, and this Board finding:

1. That the petition was filed with the Township Clerk, October 5, 2004 and that the Board of Township Trustees was duly notified by him of such filing, a copy of the petition was delivered to it on October 13, 2004 and,
2. That the petition was signed by owners of more than ½ of the front feet of all the lots abutting on the roads of the district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 ft. from, nor any lands not abutting on, the roads in such districts; and,
3. That due notice of the hearing before the Board of Township Trustees on the petition for October 27, 2004 was duly and timely served on all owners and corporations affected by the proposed improvement, and was duly and timely published as against non residents, pursuant to R. C. 515.04, and return of due service and publication was made according to law; now therefore, be it.

RESOLVED: By the Board of Trustees of Brimfield Township, Portage County, Ohio, that the proposed improvement to light artificially the road in the district is necessary, and the petition is granted accordingly; that the number of lights necessary to light properly the roads is (13) ; that the light shall be 9,500-lumen, 100-watt; that they shall be located at the following places – descriptive plat on file at Township Clerk's office, and that the kind of supports therefore shall be 16 ft. tapered fiberglass, and be it further,

RESOLVED: That each lot, 100 property owners, within the lighting district shown shall be assessed at the rate of \$20.00 per half (\$40.00 per year) for a three year period, for

RESOLVED: That the Brimfield Township Board of Trustees will, by separate assessment, assess the above 100 property owners at the rate of \$25.00 per half (\$50.00 per year) for a 3 year period to pay for the installation of the lights, a total of \$15,000.00; be it further,

RESOLVED: That the Brimfield Township shall hold in escrow the amount of \$15,000.00 as collected and reimburse King Ridge Development, for the installation of the above mentioned lights.

Trustee Mike Kostensky moved for the adoption of the above resolution on this 8th day of December, 2004. Sue Fields seconded the above resolution, and upon the roll being called, the results were:

Sue Fields	-	Yea	Mike Kostensky	-	Yea
C. Dan Tronge	-	Yea	Adopted December 8, 2004		

I, Charles J. Sprague, Jr., Clerk of Brimfield Township, do hereby certify the foregoing to be a true and accurate record of the proceedings.

Charles J. Sprague, Jr.

4:45 PM MOTION #2004-495 A - 6

Trustee, Mike Kostensky moved for an Executive Session to discuss the following.

a. Personnel – reorganization

Clerk and appropriate department heads may attend. Sue Fields seconded.

Sue Fields	-	Yea	Mike Kostensky	-	Yea
C. Dan Tronge	-	Yea	Motion Passed		

At 5:20 PM Trustee Mike Kostensky moved to return to regular session. Seconded by Sue Fields. Motion Passed.

MOTION #2004-296 as a result of the above executive session.

Re: Hiring Nancy Rodd

WHEREAS: The Brimfield Trustees has determined the need to provide additional clerical help for the clerk; therefore be it,

RESOLVED: To hire Nancy Rodd as an assistant to the Clerk. Starting pay will be \$9.50 per hour. Hours will be 40 hours per pay period, hire date shall be December 9, 2004.

Trustee Mike Kostensky moved for the adoption of the above resolution on this 8th Day of December, 2004. C. Dan Tronge second and upon the roll being called:

Mike Kostensky	-	Yea	Sue Fields	-	Yea
C. Dan Tronge	-	Yea	Motion passed December 8, 2004		

RESOLUTION 2004-497 Agenda Number 6

Re: Prepayment Jedd

Trustee Mike Kostensky moved for the adoption of the following resolution.

WHEREAS, Brimfield Township has entered into a Joint Economic Development District (JEDD) agreement with the City of Tallmadge; and

WHEREAS, Section 15 of the JEDD Agreement provides that income tax revenues shall be paid by the Income Tax Administrator to the City of Brimfield Township on each

WHEREAS, Brimfield Township has requested that the Income Tax Administrator prepay the estimated income tax revenue in December for the second half of 2004 only, as a result of a budget shortfall; and

WHEREAS, the payment to Brimfield Township is estimated to be \$30,000 for its share of collections during the second half of 2004; and

WHEREAS, any modifications to the JEDD Agreement must be approved in writing through the legislative authorities of Brimfield Township and the City of Tallmadge.

NOW, THEREFORE, BE IT RESOLVED THAT BRIMFIELD TOWNSHIP is requesting a payment of the Income tax revenue of the 2004. That the Income Tax Administrator is hereby authorized and directed to pay in December 2004 an amount not to exceed \$30,000 to Brimfield Township representing a prepayment of the Township's share of income tax revenues for the second half of 2004.

That the Income Tax Administrator shall adjust any underpayment on January 30, 2005. Any overpayment shall be adjusted on July 30, 2005.

That this prepayment is for the second half of 2004 only and shall not constitute a waiver of any rights by either party or other modifications to the JEDD Agreement.

That all portions of the JEDD Agreement not in conflict herewith remain in full force and effect.

Dan Tronge seconded the above resolution, and upon the role being called, the results were:

Sue Fields	-	Yea	Mike Kostensky	-	Yea
C. Dan Tronge-		Yea	Adopted December 8, 2004		

I, Charles J. Sprague, Jr., Clerk of Brimfield Township, do hereby certify the foregoing to be a true and accurate record of the proceedings.

Charles J. Sprague, Jr.

RESOLUTION #2004-498 A5-Amend Budget
Re: Transfer of Funds and Amending Budget

WHEREAS: The O. R. Co. does allow for the transfer of funds within a fund and,

WHEREAS: The O. R. C. does allow the current year budget to be amended as necessary; therefore be it,

RESOLVED: That the following supplemental appropriations shall be made:

\$10,000.00

To account 1000-910-910-0000
From account 1000-110-211-0000

\$5,000.00

To account 1000-910-910-0000
From account 1000-110-211-0000

\$45.00

To account 3101-830-830-0000
From account 3101-810-810-0000

\$2000.00
To account 2041-410-323-0000
From account 2041-410-351-0000

Be it further;

To transfer:

\$251.00
To the Debt Service Fund
From the General Fund

\$100.00
To the Fire Fund
From the General Fund

And to file an amended budget with the Portage County Auditor

Trustee Mike Kostensky moved for the adoption of the above resolution on this 8th day of December 2004. C. Dan Tronge seconded and upon the roll being called:

Mike Kostensky – yea C. Dan Tronge – yea
Sue Fields – yea Motion passed.

RESOLUTION #2004-499

Re: Brimfield/City of Kent JEDD Sign Up.

WHEREAS: Brimfield Township and the City of Kent did sign a JEDD agreement;
therefore be it,

RESOLVED: That the Brimfield Township Board of Trustees has determined that it is necessary to the sign the petition to join the JEDD #1, in order that employee deductions may begin at the earliest possible pay period in January 2005.

Trustee Mike Kostensky moved move for the adoption of the above resolution on this 8th day of December 2004. C. Dan Tronge seconded and upon the roll being called:

Mike Kostensky – yea C. Dan Tronge – yea
Sue Fields – yea Motion passed

MOTION #2004-500

At 5:15 PM, there being no further business to come before this Brimfield Township Board of Trustees at this meeting of the Trustees, Mike Kostensky moved to adjourn, seconded by C. Dan Tronge and passed unanimously.

We, the Trustees of Brimfield Township, do hereby set our hands as approval of the foregoing minutes as a true and accurate record of the proceedings.

Mike Kostensky, President

C. Dan Tronge, Trustee

Sue Fields, Trustee

C. J. Sprague Jr., Clerk

* Items cleared from agenda

** Items addressed, no action taken, but will be retained for further discussion